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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,443	11/09/2001	Frederick Murray Burg	2000-0408	4277

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EXAMINER	
GAUTHIER, GERALD	

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/045,443	BURG ET AL.	
	Examiner	Art Unit	
	Gerald Gauthier	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 27-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 27-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. **Claim(s) 1** is objected to because of the following informalities: line 3 "the called party" should be "a called party". Correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim(s) 1-10 and 27-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bremer et al. (US 5,719,922) in view of Fostick et al. (US 2003/0083934 A1).

Regarding **claim(s) 1**, Bremer discloses a method of storing and retrieving voice-messages with stored attachments (FIG. 1 and column 1, lines 8-10), said method comprising the steps of:

receiving at a receiver of a called party a voice-mail message (FIG. 5 and column 6, lines 60-67);

receiving at a receiver of the called party a location of an attachment to the voice-mail message (FIG. 5 and column 7, lines 11-17); and

storing at a receiver of the called party the location of the attachment to the voice-mail message (FIG. 5 and column 8, lines 36-46);

providing access for the called party to the voice-mail message, detecting by the called party the attachment to the voice-mail message (FIG. 5 and column 9, lines 9-14); and

as a separate step, providing access for the called party to the attachment to the voice-mail message (FIG. 5 and column 9, lines 14-29).

Bremer fails to disclose the stored attachment is separate from the voice-mail message and is stored at a location separate from the receiver.

However, Fostick teaches wherein the stored attachment is separate from the voice-mail message and is stored at a location separate from the receiver (paragraph 0052).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Bremer using the teaching of sending vouchers as attachment as taught by Fostick.

This modification of the invention enables the system to have the stored attachment separate from the voice-mail message and is stored at a location separate from the receiver so that the user would be able to retrieve the attachment.

Regarding **claim(s) 2**, Bremer discloses after the step of receiving the voice-mail message, the method comprises the further step of issuing a prompt to leave the attachment to the voice-mail message (column 8, lines 36-46).

Regarding **claim(s) 3 and 36**, Bremer discloses the step of receiving the location of the attachment to the voice-mail message includes verbally receiving the location of the attachment to the voice-mail message (column 8, lines 36-46).

Regarding **claim(s) 4**, Bremer discloses the step of receiving the location of the attachment to the voice-mail message includes receiving the location via a keypad (column 8, lines 36-46).

Regarding **claim(s) 5 and 32**, Bremer discloses the keypad includes any one of a mobile terminal keypad, a computer keyboard or a terminal touch screen (column 8, lines 36-46).

Regarding **claim(s) 6**, Bremer discloses the location of the attachment to the voice-mail message includes a uniform resource identifier (column 11, lines 22-36).

Regarding **claim(s) 7**, Bremer discloses the location of the attachment to the voice-mail message includes an address on a public network (column 8, lines 36-46).

Regarding **claim(s) 8 and 45**, Bremer discloses the location of the attachment to the voice-mail message includes an address on a private network (column 8, lines 14-35).

Regarding **claim(s) 9, 33, 35, 37 and 44**, Bremer discloses after the step of receiving a location of the attachment to the voice-mail message, the method comprises the further step of determining a content-type of the attachment to the voice-mail message (column 8, lines 36-46).

Regarding **claim(s) 10, 34, 36 and 40**, Bremer discloses the determined content-type of the attachment to the voice-mail message includes at least one of text, audio, graphics and video (column 8, lines 36-46).

Regarding **claim(s) 27, 38 and 39**, Bremer discloses the step of receiving the attachment to the voice-mail message includes the sub-steps of: receiving a location of the attachment to the voice-mail message (column 8, lines 36-46); and

retrieving the attachment to the voice-mail message from the received location (column 8, lines 36-46).

Regarding **claim(s) 28**, Bremer discloses the step of providing access to the attachment to the voice-mail message comprises the sub-step of playing the attachment without requiring a proceed-to-play indication from the user (column 8, lines 36-46).

Regarding **claim(s) 29**, Bremer discloses the step of receiving the indication that access to the attachment is desired includes receiving an authorized security credential (column 8, lines 47-61).

Regarding **claim(s) 30**, Bremer discloses the step of receiving an authorized security credential includes verbally receiving an authorized security credential (column 8, lines 47-61).

Regarding **claim(s) 31**, Bremer discloses the step of receiving an authorized security credential includes receiving an authorized security credential that is entered by a keypad (column 8, lines 47-61).

Regarding **claim(s) 41**, Bremer discloses the step of providing access to the portions of the compound document that may be rendered in audio form includes the sub-steps of: identifying portions of the compound document that represent textual information (column 8, lines 47-61);

converting the portions of the compound document identified as representing textual information into audio form (column 8, lines 47-61); and

providing audio playback of the converted portions (column 8, lines 47-61).

Regarding **claim(s) 42**, Bremer discloses the step of providing access to the portions of the compound document that may be rendered in audio form includes the sub-steps of: identifying portions of the compound document that are in audio form (column 8, lines 36-46); and

providing audio playback of the portions of the compound document identified as being in audio form (column 8, lines 36-46).

Regarding **claim(s) 43**, Bremer discloses the step of providing access to the attachment to the voice-mail system includes the sub-steps of: prompting the called party to input commands to select specified portions of the attachment for retrieval (column 8, lines 47-61);

receiving the commands for the specified portions of the attachment (column 8, lines 47-61); and

playing back the selected portions of the attachment to the voice-mail message (column 8, lines 47-61).

Response to Arguments

6. Applicant's arguments with respect to **claim(s) 1-10 and 27-45** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

GG
May 12, 2006